

MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, July 26, 2005
Tuesday, 12:13 P.M.

The City Council met in regular session with Mayor Mayans in the Chair. Council Members Brewer, Fearey, Gray, Martz, Skelton; present. Council Member Schlapp absent with prior notice.

George Kolb, City Manager; Gary Rebenstorf, Director of Law; Karen Sublett, City Clerk; present.

The Minutes of the July 19, 2005 meeting were approved 6 to 0, (Schlapp absent).

CONSENT AGENDA

Motion--
--carried

Mayans moved to approve the Consent Agenda as presented. Motion carried 6 to 0, (Schlapp absent).

BOARD OF BIDS**REPORT OF THE BOARD OF BIDS AND CONTRACTS DATED JULY 25, 2005.**

Bids were opened July 22, 2005, pursuant to advertisements published on:

PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION: Sewers, Paving and Water Mains as per specifications.

Kellogg (US 54)/Rock Road Interchange, Misc. Improvements along north frontage road near Bonnie Brae Street - north of Kellogg, east of Rock Road. (472-84236/702344/ 702344) Does not affect existing traffic. (District II)

Cornejo & Sons Construction - \$57,929.50

Sanitary Sewer Reconstruction, Phase 7 to serve Planeview Addition - east of Roosevelt, north of Roseberry. (468-84036/620436/665556) Traffic to be maintained during construction using flagpersons and barricades. (District III)

WB Carter Construction - \$168,131.00

Water Distribution System to serve Regency Park 3rd Addition - south of 29th Street North, west of Greenwich. (448-90089/735265/470936) Does not affect existing traffic. (District II)

McCullough Excavation - \$12,500.00

Water Distribution System to serve Hawthorne 3rd Addition - north of 21st Street North, east of 127th Street East. (448-89995/735262/470933) Does not affect existing traffic. (District II)

McCullough Excavation - \$30,050.00

Lateral 6, Main 12 Four Mile Creek Sewer to serve Hawthorne 3rd Addition - north of 21st Street North, east of 127th Street East. (468-83873/744129/480817) Does not affect existing traffic. (District II)

CITY COUNCIL PROCEEDINGS

JOURNAL 184

JULY 26, 2005

PAGE 104

McCullough Excavation - \$67,750.00

Lateral 45 Cowskin Interceptor Sewer to serve Southern Ridge 3rd Addition - south of Pawnee, west of Maize. (468-83965/744128/480816) Does not affect existing traffic. (District V)

Nowark Construction - \$35,349.93

Water Distribution System to serve Southern Ridge 3rd Addition - south of Pawnee, west of Maize. (448-90052/735261/470932) Does not affect existing traffic. (District V)

Padgett Excavation - \$18,362.00

Storm Water Drain #264 to serve Avalon Park Addition (north of 37th Street North, east of Maize) (468-84011/751401/485292) Does not affect existing traffic. AND Storm Water Drain #265 to serve Avalon Park Addition - north of 37th Street North, east of Maize. (468-84012/751402/485293) Does not affect existing traffic. (District V)

Pearson Excavating, Inc. - \$118,222.40	(Drain # 264)
\$158,098.30	(Drain # 265)
\$276,320.70	(Total Bid)

Lateral 21, Main 19 Southwest Interceptor Sewer to serve North Ridge Village Addition - west of Ridge Road, south of K-96. (468-83977/744126/480814) Traffic to be maintained during construction using flagpersons and barricades. (District V)

WB Carter Construction - \$98,113.13*

*Award redirected – Negotiated to Engineer's Estimate

Motion--

Mayans moved that the contracts be awarded as outlined above, subject to check, same being the lowest and best bid within the Engineer's construction estimate, and the and the necessary signatures be authorized. Motion carried 6 to 0; (Schlapp absent)

--carried

WATER AND SEWER DEPARTMENT/SEWER MAINTENANCE DIVISION AND PUBLIC WORKS DEPARTMENT/STORM WATER: Manhole Frames and Covers

Deeter Foundry, Inc. - \$ 65,555.00 (Group 1/total net bid)

Motion--

Mayans moved that the contract(s) be awarded as outlined above, same being the lowest and best bid, and the necessary signatures be authorized. Motion carried 6 to 0; (Schlapp absent)

--carried

CMBS

APPLICATIONS FOR LICENSES TO RETAIL CEREAL MALT BEVERAGES:

<u>Renewal</u>	<u>2005</u>	<u>(Consumption On Premises)</u>
Mark T. Ryan	Ryan Boys Inc* (aka - Two Brothers BBQ)	300 South Greenwich Road
<u>New Special Event</u>	<u>August 6 & 7, 2005</u>	<u>(Consumption On Premises)</u>
Delfino Morillon	Lienso Charro Santa Rosa	2200 North Broadway

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

Motion--

Mayans moved that the licenses subject to Staff review and approval be approved. Motion carried 6 to 0, (Schlapp absent).

--carried

CITY COUNCIL PROCEEDINGS

JOURNAL 184

JULY 26, 2005

PAGE 105

PRELIM. ESTS.

PRELIMINARY ESTIMATES:

- a. Reed's Cove Court serving Lots 19 through 26, Block 3, from the south line of Reed's Cove to and including the cul-de-sac; Bridlewood from the west line of Lot 11, Block 3, to the east line of Lot 28, Block 2; Bridlewood Court serving Lots 28 through 35, Block 2 from the south line of Bridlewood to and including the cul-de-sac to serve Reed's Cove Addition (south of 21st Street North, east of 127th Street east) (472-83771/765940/490053) Traffic to be maintained during construction using flagpersons and barricades. (District II) - \$135,000
- b. Lateral 7, Main 26 War Industries Sewer to serve Regency Park 3rd Addition (south of 29th Street North, west of Greenwich Road) (468-84035/744133/480821) Traffic to be maintained during construction using flagpersons and barricades. (District II) - \$53,000
- c. 2005 Sanitary Sewer Reconstruction Phase 6 (various locations between Meridian and Hillside and between 29th St. North & 31st St. South) (468-84027/620435/665555) Traffic to be maintained during construction using flagpersons and barricades. (District I, IV, VI) - \$312,000
- d. Lateral 21, Main 19 Southwest Interceptor Sewer to serve North Ridge Village Addition (west of Ridge Road, south of K-96) (468-83977/744126/480814) Traffic to be maintained during construction using flagpersons and barricades. (District V) - \$126,000
- e. Lateral 1, Main 15, Sanitary Sewer #23 to serve Rio Vista 4th Addition (north of 61st Street North, west of Meridian) (468-83842/744112/480800) does not affect existing traffic. (District VI) - 292,670

Motion--carried

Mayans moved that the Preliminary Estimates be received. Motion carried 6 to 0, (Schlapp absent).

STREET CLOSURES

CONSIDERATION OF STREET CLOSURES/USES: SPECIAL EVENTS:

- Delano Street Sale – Sunday, August 7th
8:00 a.m. – 5:00 p.m.
- Douglas from Seneca to east side of Clock Tower
- Douglas from McLean to west side of Clock Tower
- Heartspring PedalFest 2005 – Sunday, August 28th
6:30 a.m. - 4:00 p.m.
- Webb Exit from K-96-intermittent as needed.

Motion--

Mayans moved that the event sponsors notifying every property and/or business adjoining any portion of the closed street; coordination of event arrangements with City Staff; hiring off-duty public safety officers as required by the Police Department; obtaining barricades to close the streets in accordance with requirements of Police, Fire and Public Works Department; submitting a certificate of Insurance evidencing general liability insurance, which covers the event and its related activities, including the naming of the City as an additional insured with respect to the event's use of the closed City streets.

--carried

Motion carried 6 to 0, (Schlapp absent).

CITY COUNCIL PROCEEDINGS

JOURNAL 184

JULY 26, 2005

PAGE 106

HARBOR HOUSE

CATHOLIC CHARITIES, HARBOR HOUSE CONTRACT.

Agenda Report No. 05-0703

On June 14, 2005, the City Council allocated Community Development Block Grant (CDBG) funds for Catholic Charities, Inc.

The contract with Catholic Charities will provide funding to pay building permit costs related to construction of the new Harbor House domestic violence crisis center. The contract binds Catholic Charities, Inc. to provide the required documentation to ensure that the HUD National Benefit is met. The contract term begins July 18, 2005 and ends June 30, 2006.

The contract amount of up to \$8,000 will be funded from CDBG program income.

The contract has been negotiated with Catholic Charities, Inc. and signed by their authorized representative. The Law Department has reviewed and approved the contract as to form.

Motion--
--carried

Mayans moved that the contract be approved and the necessary signatures authorized.
Motion carried 6 to 0, (Schlapp absent).

SE WATER TRANS.

SOUTHEAST WATER TRANSMISSION ROUTE STUDY. (DISTRICTS I, II, III & IV)

Agenda Report No. 05-0704

The 1999 Water Master Plan identified potential water pressure problems in portions of the southeast Wichita water distribution system and in growth areas in southeast Sedgwick County as identified by the Metropolitan Area Planning Department (MAPD).

On April 8, 2003, the City Council approved a Water Master Plan Update. In updating the water distribution water model and analyzing the water distribution system, including the latest growth predictions by MAPD, the Water Master Plan recommended a new water distribution booster pump station facility. The recommendation is to locate the booster pump near the existing 20-inch water main in Harry, between Woodlawn and Rock Road.

The Master Plan Update also recommends a new water transmission facility to be constructed from Maple and Exposition to the proposed booster pump station. On April 19, 2005, the City Council approved expenditures for the Southeast Water Transmission Facility and on May 23, 2005, the Staff Screening and Selection Committee selected Professional Engineering Consultants, P.A., for the project.

Funding is available in CIP W-1194 and from future revenue bonds and/or Water Utility cash reserves for this project. The Agreement with Professional Engineering Consultants is for \$67,202 for the route study and design of the I-135 crossing.

The Law Department has reviewed and approved the Agreement as to form.

Motion--
--carried

Mayans moved that the Agreement be approved and the necessary signatures authorized. Motion carried 6 to 0, (Schlapp absent).

CITY COUNCIL PROCEEDINGS

JOURNAL 184

JULY 26, 2005

PAGE 107

ICE SPORTS

SEVERANCE AGREEMENT-ICE SPORTS CENTER. (DISTRICT III)

Agenda Report No. 05-0705

On May 3, 2005, the City Council directed staff to negotiate the termination of the management agreement between Ice Sports - Wichita and the City. The City Council further directed that the Park and Recreation Department take over operations of the facility until a new management plan was approved.

Negotiations for the termination of the management agreement have been conducted. As a result of the negotiations, the Severance Agreement is presented for approval. The Severance Agreement provides for the termination of the management agreement with the effective date being July 31, 2005, and the City paying an amount for past fees and expenses due under the management agreement. The Severance Agreement provides for a cooperative effort for a smooth transition of management. Further, the Severance Agreement recognizes that there exists an unresolved issue regarding the payment for fees through the balance of the initial management term. The parties agree to sever the management fee issue and undertake good faith discussions/mediation to resolve the remaining compensation matter.

The total amount of past fees and expenses due under the management agreement is \$118,802.87.

The agreement has been approved as to form by the Department of Law.

Motion--
--carried

Mayans moved that the Severance Agreement be approved and the necessary signatures authorized.
Motion carried 6 to 0, (Schlapp absent).

SEWER MAIN

PUBLIC EXIGENCY-EMERGENCY 36-INCH SEWER MAIN RECONSTRUCTION. (DISTRICT I)

Agenda Report No. 05-0706

The weekend of June 24th, a damaged 36-inch sanitary sewer main that crosses Chisholm Creek was discovered that was leaking sewage into the creek. The situation posed a serious public health risk and there was not time to contact several contractors for informal bids. On Friday evening, Staff contacted WB Carter Construction, the company that does the majority of sewer reconstruction for the City, and asked them to fix the leak as quickly as possible. The Kansas Department of Health and Environment was contacted and they had staff on site the following morning.

Sewer Maintenance Staff contained the leak within a quarter-mile area and provided temporary bypass pumping from the creek, back to the sanitary sewer system to prevent downstream contamination until the main could be repaired.

A temporary repair could have been made until informal bids were taken; however, this would have put the City at risk if another heavy rain event occurred before permanent repairs were made. Permanent repairs require constructing an additional manhole, constructing toe-walls in the creek, and installing reinforced concrete encasement around the new 36-inch pipe. Special sewage pumping equipment would also be needed to bypass pump this volume of sewage from one manhole to another. Extensive site clearing and site preparation was required by WB Carter Construction in order to access the site, construct a temporary road, and set up the bypass pumping system.

WB Carter submitted an estimate of \$120,000. Funds are available in CIP S-4, Reconstruction of Old Sanitary Sewers. The project will be funded from future sewer revenue bonds and/or Sewer Utility cash reserves.

CITY COUNCIL PROCEEDINGS

JOURNAL 184

JULY 26, 2005

PAGE 108

City Ordinance 2.64.020, "Public Exigency," authorizes the City Manager to approve work to be done by a contractor without formal bidding. The City Manager authorized Staff to proceed with hiring WB Carter Construction on June 28th, 2005, to make permanent repairs while they were mobilized on site.

Motion--
--carried

Mayans moved that the City Manager's Public Exigency approval of the project be affirmed. Motion carried 6 to 0, (Schlapp absent).

SANITARY SEWER

SANITARY SEWER INTERCEPTOR INSPECTION. (DISTRICTS I & III)

Agenda Report No. 05-0707

A 54-inch sanitary sewer interceptor lies beneath the northbound lanes of I-135. The Kansas Department of Transportation (KDOT) has plans to resurface I-135 between English Street and Pawnee Avenue. An inspection using sonar and television equipment revealed deteriorated spots in the sewer pipe that need repairs, but indications are that the sewer pipe does not need major reconstruction. The manholes have not been inspected. Additionally, sewer maintenance crews discovered deterioration in the walls of the tunnels that lead under the highway to the sewer interceptor.

Structural failure in a tunnel could pose a traffic hazard. Sewer pipe, manhole and tunnel repair, or reconstruction, will cost less if coordinated with the resurfacing that KDOT plans to do, than if done after the highway work has been completed. Therefore, it is important to determine the condition of the tunnels and manholes, doing a detailed inspection requiring core sampling and analysis.

The estimated cost for the tunnel and manhole inspection is \$75,000. Funding is available in CIP S-534 (I-135 from Pawnee to English) that has \$8 million. The project will be funded from sewer utility bond issues and/or cash.

The Law Department has approved the Resolution as to form. Staff will return to City Council for authorization of repairs, or reconstruction, if such work is required.

Motion--
--carried

Mayans moved that the project be approved; the Resolution adopted and the necessary signatures authorized. Motion carried 6 to 0, (Schlapp absent).

RESOLUTION NO. 05-372

A resolution of the City of Wichita, Kansas, declaring it necessary to construct, reconstruct, alter, repair, improve, extend and enlarge the water and sewer utility owned and operated by the city, and to issue revenue bonds in a total principal amount which shall not exceed \$8 million exclusive of the cost of interest on borrowed money, for the purpose of paying certain costs thereof, and providing for the giving of notice of such intention in the manner required by law, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Martz, Skelton, Mayans, (Schlapp absent).

SPACE UTILIZATION SPACE UTILIZATION AND ERGONOMIC IMPROVEMENTS PROJECT.

Agenda Report No. 05-0708

The 2005-2014 Capital Improvement Program (CIP) contains a project to improve space utilization and ergonomics at City facilities. Many facilities, including City Hall, have areas that have not been updated since they were opened.

Many City buildings were built in the 1970's and 1980's. A significant amount of furniture and equipment used by staff are even older than the buildings. Remodeling and reconfiguration of work spaces, and replacing outdated furniture and equipment will significantly improve the image of the City, improve space utilization and reduce long-term employee physical problems associated with non-ergonomic furniture and equipment. Additionally, in some instances office configurations impair the

CITY COUNCIL PROCEEDINGS

JOURNAL 184

JULY 26, 2005

PAGE 109

ability of staff and citizens to interact efficiently when confidentiality is crucial, forcing work-arounds that reduce staff efficiency and are inconvenient for their citizen-clients.

The Facilities Space Utilization & Ergonomic Improvements project is included in the 2005 – 2014 Capital Improvement Program. The project budget is \$750,000 each year from 2005 through 2008. The 2005 and 2006 budgets are proposed for initiation with a project budget of \$1.5 million. The funding source is general obligation bonds.

The Law Department has approved the bonding resolution as to legal form.

Motion--
--carried

Mayans moved that the project be approved; the bonding resolution adopted and the necessary signatures authorized. Motion carried 6 to 0, (Schlapp absent).

RESOLUTION NO. 05-383

A resolution determining the advisability of making certain public improvements in the City of Wichita, Kansas, and setting forth the general nature and the estimated cost of such improvements; authorizing and providing for the making and financing of the improvement in accordance with the findings of the governing body; and directing the publication of this resolution.

LEASES FOR SPACE LEASES FOR SPACE AT COLVIN AND STANLEY SCHOOLS. (DISTRICTS III AND IV)

Agenda Report No. 05-0709

The City of Wichita leases space at Colvin and Stanley schools from Unified School District 259 for Career Development and Park Department programs. The City has mini-City Halls at both facilities. These provide access to City staff and services for the area. The Park Department operates staffed recreation centers at the sites.

The current leases have expired and new leases have been prepared. Lease term on each lease is one year with nine one-year options. The lease term starts January 1, 2005. Base rent is \$2,210.21 per month for Stanley and \$2,074.40 per month for Colvin. These amounts approximate the operating costs for the leased space and will be adjusted upward or downward periodically based on actual operating results.

The operating budgets for both Career Development and the Park Department include funds for the lease payments.

The Law Department has approved the leases as to form.

Motion--
--carried

Mayans moved that the Lease Agreements be approved and the necessary signatures authorized. Motion carried 6 to 0, (Schlapp absent).

ORDINANCES

SECOND READING ORDINANCES: (FIRST READ JULY 19, 2005)

- a) 2005 Street Rehabilitation Program. (Districts I, II, IV & VI)

ORDINANCE NO. 46-631

An Ordinance declaring 37th Street North, between Seneca and Womer; 21st Street. North between Greenwich and the K-96 Expressway; Meridian between 43rd Street south and 47th Street south, and Hydraulic, between 37th Street North and a point 1/3 mile north of 37th Street North (2005 Street Rehabilitation Program) 472-84158 to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Martz, Skelton, Mayans, (Schlapp, absent).

CITY COUNCIL PROCEEDINGS

JOURNAL 184

JULY 26, 2005

PAGE 110

- b) Home Rule Bonding Ordinance for Arena Neighborhood Redevelopment Plan.

ORDINANCE NO. 46-632

An Ordinance of the City of Wichita, Kansas authorizing the issuance of its General Obligation Bonds to pay the costs of preparation of an arena neighborhood redevelopment plan; and authorizing and providing for the issuance of temporary improvement notes of the city from time to time as funds are needed for such purpose Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Martz, Skelton, Mayans, (Schlapp, absent).

- c) Abatement of Dangerous and Unsafe Structures. (Districts I, II, III, V & VI)

ORDINANCE NO. 46-630

An Ordinance making a special assessment to pay for the removal of certain structures, being dangerous and unsafe buildings, which have been declared a nuisance (building condemnation) under the provision of Sections 18.16.010 to 18.16.090 of the Code of the City of Wichita, Kansas, Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Martz, Skelton, Mayans, (Schlapp, absent).

- d) Improvement to the intersection of 13th Street and Broadway. (District VI)

ORDINANCE NO. 46-633

An Ordinance declaring the intersection of 13th and Broadway (472-84178) to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same, Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Martz, Skelton, Mayans, (Schlapp, absent).

PLANNING AGENDA

Council Member Gray Council Member Gray stated that he would have to abstain from voting on item 12 due to conflict of interest.

Motion-- Mayans moved to approve Planning Consent Agenda items 11, 13 and 14 as presented. Motion
--carried carried 6 to 0, (Schlapp absent).

Motion-- Mayans moved to approve Planning Consent Agenda item 12 as presented. Motion carried
--carried 5 to 0, (Gray abstained and Schlapp absent).

SUB2004-134

SUB2004-134-PLAT OF ROBERTS AND MORRIS ADDITION, LOCATED ON THE NORTH SIDE OF 21ST STREET NORTH AND EAST OF 135TH STREET WEST. (COUNTY)

Agenda Report No. 05-0710

Staff Recommendation: Approve the plat.

MAPC Recommendation: Approve the plat. (12-1)

The negative Planning Commission vote indicated a Commissioner's concern with approving the plat prior to the drainage plan approval.

This unplatted site, consisting of one lot on 2.51 acres, is located within three miles of Wichita's city limits. A zone change (ZON 2004-09) from SF-20, Single-Family Residential District to NR,

CITY COUNCIL PROCEEDINGS

JOURNAL 184

JULY 26, 2005

PAGE 111

Neighborhood Retail District, was approved by the Sedgwick County Commission for this site subject to platting. A Protective Overlay (PO #137) was approved for this site and a PO Certificate has been submitted addressing permitted uses.

Municipal water services are available to serve this site. A Petition, 100 percent, and a Certificate of Petition have been submitted for sanitary sewer improvements.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within 30 days.

The PO Certificate and Certificate of Petition will be recorded with the Register of Deeds.

Motion--
--carried

Mayans moved that the documents and plat be approved; the necessary signatures authorized and the Resolution adopted. Motion carried 6 to 0, (Schlapp absent).

RESOLUTION NO. 05-373

Resolution of findings of advisability and Resolution authorizing construction of Lateral 5, Main 3, Northwest Interceptor Sewer (north 21st, east of 135th street west) 468-84053, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Martz, Skelton, Mayans, (Schlapp absent).

(Agenda Item 12)
SUB2005-16

SUB2005-16-PLAT OF TRINITY POINT ADDITION, LOCATED NORTH OF 47TH STREET SOUTH AND ON THE EAST SIDE OF HOOVER. (DISTRICT IV)

Agenda Report No. 05-0711

Staff Recommendation: Approve the plat.

MAPC Recommendation: Approve the plat. (11-0)

This site, consisting of 87 lots on 32.23 acres, is located within Wichita's city limits and is zoned SF-5, Single-family Residential District.

Petitions, 100 percent, and a Certificate of Petitions have been submitted for paving, sewer and water improvements. A Restrictive Covenant was submitted to provide four off-street parking spaces per dwelling unit on each lot that abuts a 58-foot street. As requested by City Engineering, an Off-site Drainage and Utility Easement have been provided.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within 30 days.

The Certificate of Petitions, Restrictive Covenant and Drainage and Utility Easement will be recorded with the Register of Deeds.

Motion--
--carried

Mayans moved that the documents and plat be approved; the necessary signatures authorized and the Resolutions adopted. Motion carried 5 to 0, (Gray abstained, Schlapp absent).

RESOLUTION NO. 05-374

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-90097 (north of 47th street south, east of Hoover), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 5 to 0. Yeas: Brewer, Fearey, Martz, Skelton, Mayans, (Gray abstained, Schlapp absent).

CITY COUNCIL PROCEEDINGS

JOURNAL 184

JULY 26, 2005

PAGE 112

RESOLUTION NO. 05-375

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-90098 (north of 47th street south, east of Hoover), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 5 to 0. Yeas: Brewer, Fearey, Martz, Skelton, Mayans, (Gray abstained, Schlapp absent).

RESOLUTION NO. 05-376

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-90099 (north of 47th street south, east of Hoover) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 5 to 0. Yeas: Brewer, Fearey, Martz, Skelton, Mayans, (Gray abstained, Schlapp absent).

RESOLUTION NO. 05-377

Resolution of findings of advisability and Resolution authorizing construction of Lateral 3, Main 21, Southwest Interceptor Sewer (north of 47th street south, east of Hoover) 468-84058 in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 5 to 0. Yeas: Brewer, Fearey, Martz, Skelton, Mayans, (Gray abstained, Schlapp absent).

RESOLUTION NO. 05-378

Resolution of findings of advisability and Resolution authorizing constructing pavement on Flora, from the north line of the plat to the south line of Lot 4, Block A, and on Doris, from the north line of the plat to the south line of Lot 26, Block B, and on Flora Court, (Lots 1 through 10, Block A) from the west line of Flora, to and including the cul-de-sac, on Doris Court, (Lots 26 through 41, Block B) from the west line of Doris to and including the cul-de-sac, and on Doris Court, (Lots 1 through 8, Block C) from the east line of Doris to and including the cul-de-sac and that sidewalk be constructed along one side of Flora and Doris (north of 47th street south, east of Hoover) 472-84251 in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 5 to 0. Yeas: Brewer, Fearey, Martz, Skelton, Mayans, (Gray abstained, Schlapp absent).

RESOLUTION NO. 05-379

Resolution of findings of advisability and Resolution authorizing constructing pavement on Flora, from the south line of Lot 4, Block B, to the south line of the plat, and on Doris, from the south line of Lot 26, Block B, to the south line of the plat and on Flora Court, (Lots 11 through 20, Block A) from the west line of Flora to and including the cul-de-sac, on Doris Court, (Lots 10 through 25, Block B) from the west line of Doris to and including the cul-de-sac, and on Doris Court, (Lots 9 through 26, Block C) from the east line of Doris to and including the cul-de-sac and that sidewalk be constructed along one side of Flora and Doris (north of 47th street south, east of Hoover) 472-84252 in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 5 to 0. Yeas: Brewer, Fearey, Martz, Skelton, Mayans, (Gray abstained, Schlapp absent).

CITY COUNCIL PROCEEDINGS

JOURNAL 184

JULY 26, 2005

PAGE 113

SUB2005-24

SUB2005-24-PLAT OF TIMBER LAKES ESTATES FOURTH ADDITION, LOCATED NORTH OF HARRY AND WEST OF 159TH STREET EAST. (DISTRICT II)

Agenda Report No. 05-0712

Staff Recommendation: Approve the plat.

MAPC Recommendation: Approve the plat. (10-0)

This site, consisting of 12 lots on 7.9 acres, is a replat of Timber Lakes Estates Third Addition and is located within Wichita's city limits. This site is zoned SF-5, Single-family Residential District.

Petitions, 100 percent, and a Certificate of Petitions have been submitted for paving, sewer and water improvements.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within 30 days.

The Certificate of Petitions will be recorded with the Register of Deeds.

Motion--
--carried

Mayans moved that the document and plat be approved; the necessary signatures authorized and the Resolutions adopted. Motion carried 6 to 0, (Schlapp absent).

RESOLUTION NO. 05-380

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-90100 (north of Harry, west of 159th street east) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Martz, Skelton, Mayans, (Schlapp absent).

RESOLUTION NO. 05-381

Resolution of findings of advisability and Resolution authorizing construction of Lateral 380, Four Mile Creek Sewer (north of Harry, west of 159th street east) 468-84059, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Martz, Skelton, Mayans, (Schlapp absent).

RESOLUTION NO. 05-382

Resolution of findings of advisability and Resolution authorizing constructing pavement on Timberidge Circle (north of Harry, west of 159th street east) 472-84253 in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Martz, Skelton, Mayans, (Schlapp absent).

STREET IMPROV.

STREET IMPROVEMENT AGREEMENT FOR PROPERTY LOCATED NORTH OF CENTRAL AND EAST OF WEST STREET. (DISTRICT VI)

Agenda Report No. 05-0713

Staff Recommendation: Approve the Agreement.

This Agreement is for the future paving of Sheridan and Elm Streets and is associated with Lot Split No. SUB 2005-61, (Lot 38, Davis Gardens Addition).

The Lot Split allowed the creation of two additional lots zoned SF-5, Single-family Residential District.

CITY COUNCIL PROCEEDINGS

JOURNAL 184

JULY 26, 2005

PAGE 114

This Agreement assures the City of Wichita that this property will be included in paving improvements, and that the owners have waived their right to protest said paving improvement.

The Agreement will be recorded with the Register of Deeds.

Motion--
--carried

Mayans moved that the Agreement be approved and the necessary signatures authorized. Motion carried 6 to 0, (Schlapp absent).

EXEC. SESSION

Motion--

--carried

Mayans moved that the City Council recess at 12:15 p.m. into Executive Session to consider: Consultation with legal counsel on matters privileged in the attorney-client relationship relating to: pending litigation, legal advice and matters relating to employer-employee negotiation and that the Council returns from Executive Session no earlier than 12:45 p.m. and reconvene in the First Floor Boardroom of City Hall. Motion carried 6 to 0, (Schlapp absent).

RECONVENE

The Council reconvened in the first floor boardroom at 12:45 p.m. Mayor Mayans announced that no action was taken.

Motion--carried

Mayans moved at 12:45 p.m. to close the Executive Session. Motion carried 6 to 0, (Schlapp absent).

Motion--carried

Mayans moved at 12:46 p.m. to close the Regular Meeting. Motion carried 6 to 0, (Schlapp absent).

Adjournment

The City Council meeting adjourned at 12:46 p.m.

Respectfully submitted,

Karen Sublett
City Clerk

Workshop followed in the First Floor Boardroom